

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Fewless Small Volume Aggregate Permit #S-2100-07
Proposed Implementation Date:	May 2017
Proponent:	Bill Fewless
Location:	Section 16, Township 2 North, Range 33 East (Common School Trust)
County:	Big Horn County

I. TYPE AND PURPOSE OF ACTION

Mr. Fewless is requesting that the DNRC Southern Land Office (SLO) issue a Small Volume Aggregate Permit to allow the removal of 300 cubic yards of gravel and aggregate from an existing disturbed area generally located in the SE¼NE¼ portion of the State Trust land in Section 16, Township 2 North, Range 33 East in Big Horn County. This aggregate will be used on the Fewless property which is located adjacent to the Trust land. The site was previously mined in the past and a previous small volume permit was issued to Mr. Fewless for the construction of a new building on his private land. The historic mining was not reclaimed and in discussions with Mr. Fewless on the areas to remove the material, the hope is that the current permit will help move reclamation along by flattening some side slopes in the existing mined area. No topsoil was saved from the historic mining operation, so the reclamation that can be accomplished is somewhat limited.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

No formal public scoping was performed by the Southern Land Office (SLO) for this proposed project. The state grazing lessee is also the proposed Permittee.

A site visit of the proposed project area was conducted by Jeff Bollman, SLO Area Planner and Jocce Hedrick, SLO Land Use Specialist on 21 April 2017.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

None.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Approve the issuance of a Small Volume Aggregate Permit for 300 cubic yards of material to be removed from a previously mined area in the SE¼NE¼ of Section 16-T2N-R33E in Big Horn County.

No Action Alternative: Deny the request to issue a Small Volume Aggregate Permit.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The topography of the proposed project area is generally flat, however, there are still some remaining piles of material from the historic mining operations. The area was previously mined for gravel and the reclamation at that time did not include saving the topsoil and placing it back on the mined area. In discussing the permit with the proponent, it was agreed that some of the new mining would occur in areas that would lay back the slope and essentially become the reclamation for a small area of the mine. No significant impacts are anticipated by the granting of the Permit.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

There is no water source within the proposed project area. No significant impacts are anticipated.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No significant impact is expected to air quality, although there may be a minor temporary increase in particulate emission during the removal and transporting of the aggregate material. No significant impacts are anticipated.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The area proposed for the Permit has been mined historically and reclamation was poor to non-existent. In addition, the topsoil was not set aside and placed back on top of the mined area. The site has virtually no vegetative cover due to the lack of topsoil and prevalence of rock. No significant impacts are expected by issuing the proposed Permit.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

No significant impacts to terrestrial, avian and aquatic life and habitats would occur as a result of implementing the proposed alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A proposed project area search of the Montana Natural Heritage Program database identified one vertebrate animal that is listed as a species of concern or threatened species: Great Blue Heron. The Heron was spotted along the Bighorn River which is located approximately 2 miles east of the subject property. The proposed project area is not near any standing water or wetlands that would attract the Heron.

The Trust land is located in Sage-Grouse General Habitat. A consultation with the Montana Sage Grouse Habitat Conservation Program was conducted and the Program approved the proposed mining with a recommendation on weed control and seed mix in reclamation. In addition, the closest active lek is over 10 miles away.

No significant impacts to unique or endangered species are expected as a result of implementing the proposed alternative.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

The proposed project would occur in an area that has historically been mined for gravel and is therefore a previously disturbed site. SLO staff was on site and did not note any cultural resources in the previously mined area in addition to the small area that will be newly disturbed with the proposed action. No adverse effects to state-owned Historic Properties are anticipated.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The proposed action would allow the removal of additional aggregate from a previously disturbed site that was not reclaimed. No significant impacts to aesthetics are expected by issuing the proposed Permit.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant impacts to environmental resources of land, water, air or energy would occur as a result of implementing the proposed alternative.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other known state or federal environmental reviews taking place in the subject area.

<p>IV. IMPACTS ON THE HUMAN POPULATION</p> <ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i>
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14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

No significant impacts to industrial, commercial and agricultural activities and production would occur as a result of implementing the proposed alternative.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will have no significant impact on the quantity and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will have no significant impact on the local tax base.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

The implementation of the proposed alternative will not generate any additional demands on services provided by Big Horn County.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

The area included in the proposed alternative is not located in an area that is zoned by Big Horn County.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The subject Trust land has moderate recreational use potential due to the proximity of residences. The proposed action will not impact the recreational use access or quality of the tract due to its timing outside of big game hunting seasons.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

No significant adverse impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed alternative would not directly impact cultural uniqueness or diversity.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Common Schools Trust received a \$25 application fee for a Small Volume Aggregate Permit and will receive \$375.00 in royalties for the 300 cubic yards of aggregate (\$1.25/yard) that will be removed from the pit.

EA Checklist Prepared By:	Name: Jeff Bollman	Date: 24 May 2017
	Title: Southern Land Office Area Planner	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that a Small Volume Aggregate Permit for 300 cubic yards of aggregate material be granted to Mr. Bill Fewless.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant impacts from the proposed action is minimal based on the type of action proposed, its location in a previously mined area and the relatively small area that will be disturbed by the action. Additionally, there were no other areas that were identified that would produce adverse impacts from the proposed action that will not be mitigated as listed below.

The mitigation measures that will be required by the issuance of the Permit include:

1. The Permittee shall notify the Southern Land Office when they have completed removal of aggregate from the site. The SLO shall conduct a site inspection of the mined area to ensure that no further reclamation is required of the Permittee.
2. The Permittee shall be required to monitor and spray noxious weeds in the disturbed area and use a seed mix recommended by DEQ for the permitted area.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Southern Land Office Area Manager
Signature: /s/ Matthew Wolcott	Date: 5/25/17